Express Mail No.: EL 451 598 354 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Int'l Application of: Schnell *et al.*

Group Art Unit: To Be Assigned

U.S. Serial No.: 10/070,343

Examiner: To Be Assigned

International Filing Date: September 2, 2000

Attorney Docket No.: 1803-334-999

For: SYSTEM FOR THERMAL CYCLING OF FLUIDS IN CARTRIDGES

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

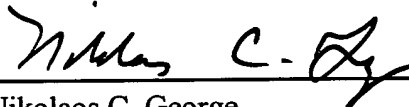
Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed by the Patent and Trademark Office on May 15, 2002, for the above referenced matter: In examination of the aforementioned notice it has come to our attention that among the items required on the notice, a sequence listing in computer readable format (CRF) and paper format in compliance with 37 C.F.R. §§ 1.821-825 be submitted. We have carefully reviewed the application as filed, (WO 01/17683 A2) and can find no disclosure of nucleotide and/or peptide sequences which must be disclosed. A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in The United States Designated/Elected Office (DO/EO/US) is provided herewith for your convenience.

Applicant respectfully requests that the application file be updated to remove the requirement. If there are any questions or concerns please do not hesitate to contact us immediately.

Respectfully submitted,

Date: September 16, 2002



Nikolaos C. George 39,201
(Reg. No.)

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304
(650) 493-4935

10 Rejected 16 SEP 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/070,343 ✓	FIRST NAMED APPLICANT Urban Schnell ✓	ATTY. DOCKET NO. 1803-334-999 ✓
---	--	------------------------------------

INTERNATIONAL APPLICATION NO.

PCT/EP00/08587

I.A. FILING DATE 09/02/2000 ✓	PRIORITY DATE 09/04/1999
----------------------------------	-----------------------------

 Rahul Pathak
 Pennie & Edmonds
 1155 Avenue of the Americas
 New York, NY 10039-2711

CONFIRMATION NO. 7095

371 FORMALITIES LETTER



OC000000008102641

Oath/Decl/Seq. List & Fee: 7/15/02 (SM)

Oath/Decl/Seq. List & Fees Final: 11/15/02 (LA)

Date Mailed: 05/15/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED RECORDS

MAY 23 2002

RRP-289A

& DOCKETING CA OFFICE

REFERRED TO KVERN
REC'D
Pathak
MAY 22 2002
Pennie & Edmonds
O.K. for filing

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070.343	PCT/EP00/08587	1803-334-999